

PATENT Case No. 21388YP
IAP4 Rec'd PCT/PTO 08 DEC 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: CVETOVICH et al.

Serial No. 10/550,640

Filed: September 23, 2005

For: PROCESS AND INTERMEDIATES FOR THE PREPARATION
OF PYRROLIDINE CARBOXYLIC ACIDS

Art Unit: _____

Examiner: _____

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR 1.97

Sir:

1. In compliance with 37 C.F.R. 1.97, submitted on the attached form herewith is a list of patents, publications or other information which are requested to be made of record in this application. This Information Disclosure Statement is not an admission that any patent, publication or other information referred to herein is "prior art" for this invention. In accordance with 37 C.F.R. 1.97(h), the filing of this Information Disclosure Statement shall not be construed to be an admission that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. 1.56(b).
2. In accordance with 37 C.F.R. 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made.
3. Applicants respectfully request that the Examiner initial the attached form after reviewing the pertinence of each reference.
4. Pursuant to 37 C.F.R. 1.98 (a)(2)(ii), copies of each cited U.S. patent and each U.S. patent application publication are not enclosed herewith.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on the date appearing below.

MERCK & CO., INC.

By Barbara R Brown Date 12/5/05

INFORMATION DISCLOSURE STATEMENT

5. Pursuant to 37 C.F.R. 1.98(d), copies of references listed on the attached form that were submitted to or cited by the Office in a related application upon which the instant application relies for an earlier filing date under 35 U.S.C. 120 are not enclosed. Related application(s) in which references were submitted to or cited by the Office are as follows:

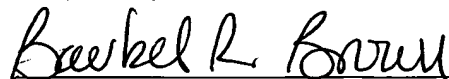
RELATED APPLICATION		
U. S. SERIAL NUMBER	FILING DATE	MERCK CASE

If this is inconvenient, additional copies will be submitted upon request.

6. In accordance with 37 C.F.R. 1.97, (check one)

- ☒ the attached information is filed within three months of the filing date of the captioned case.
- ☐ the attached information is filed more than three months after the filing date but prior to the mailing of a first Office Action on the merits.
- ☐ the attached information is filed before the mailing of a first Office action after the filing of a request for continued examination under §1.114.
- ☐ the attached information is being filed more than three months after the filing date and after the mailing of a first Office Action on the merits, but before the mailing date of a Final Action, Notice of Allowance, or an action that otherwise closes prosecution in the application. The enclosed authorization is therefore given to charge Deposit Account No. 13-2755 for the fee required under 37 C.F.R. 1.17(p).
- ☐ each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Statement.
- ☐ each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart application *and this communication was not received by any individual designated in §1.56(c) more than thirty days prior to the filing of the information disclosure statement.*
- ☐ no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, was known to any individual designated under 37 C.F.R. 1.56(c) more than three months prior to the filing of this Statement.

Respectfully submitted,



By: BAERBEL R. BROWN

Attorney _____ For Applicant(s)

Reg. No. 47,449

MERCK & CO., INC.

Patent Dept., RY60-30

P.O. Box 2000

Rahway, N.J. 07065-0907

(732)594-0672

Date: December 5, 2005

INFORMATION DISCLOSURE
STATEMENT BY APPLICANT

COMPLETE IF KNOWN

Attorney Docket Number	21388YP
------------------------	---------

3, 2005
et al. DEC 08 70ms
OIPF IAPSO
PATENT & TRADEMARK OFFICE

2

[illegible][illegible]Date
Considered

SEND TO: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.

Computer generated form "IDS Form" (IDS Folder), Merck & Co., Inc., -7/12/2005

Substitute for form 1449B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i>			COMPLETE IF KNOWN		
			Application Number	10/550,640	
			Filing Date	September 23, 2005	
			First Named Inventor	R. Cvetovich et al.	
			Group Art Unit		
			Examiner Name		
Sheet	2	of	2	Attorney Docket Number	21388YP



NON PATENT LITERATURE DOCUMENTS		
Examiner Initials*	Cite No.	Include name of the author, title, date, page(s), volume-issue number(s) and place of publication.
	AA	Dolfini et al., Tetra. Letters, Vol. 31 (1964), pp. 2103-2107, "The Michael-alkylation ring synthesis: Piperidine and pyrrolidine construction"
	AB	Dolfini et al., Tetra. Letters, Vol. 25 (1965), pp. 2053-2058, "Aziridinyl compounds as intermediates in pyrrolidine synthesis"
	AC	Caron et al., J. Am. Chem. Soc., Vol. 122 (2000), pp. 712-713, "Preparation of tertiary benzylic nitriles from aryl fluorides"
	AD	Maas et al., J. Org. Chem., Vol. 63 (1998), pp. 17-20, "Ring-opening cycloaddition of aziridines to ketenimines"
	AE	Aggarwal et al., J. Org. Chem., Vol. 67 (2002), pp. 510-514, "Rate acceleration of Baylis-Hillman reaction in polar solvents (water and formamide) ..."
	AF	Salunkhe et al., Tet. Letters, Vol. 38 (1997), pp. 1523-1526, "Highly enantioselective reduction of prochiral ketones with N,N-diethylaniline-borane (DEANB) in oxazaborolidine-catalyzed reductions"
	AG	Jiang et al., Tet. Letters, Vol. 41 (2000), pp. 10281-10283, "Highly enantioselective reduction of achiral ketones with NaBH4/Me3SiCl catalyzed by (S)-α,α-diphenylpyrrolidinemethanol"
	AH	Kim et al., Organic Letters, Vol. 4 (2002), pp. 4369-4371, "A mild and efficient method for the stereoselective formation of C-O bonds ..."
	AI	Achini, Helv. Chim. Acta, Vol. 64 (1981), pp. 2203-2218, "215. Synthesis of phenyl- and benzyl-substituted pyrrolidines and of a piperidine by intramolecular C-alkylation ..."

Examiner Signature		Date Considered	
--------------------	--	-----------------	--